

## **EXHIBIT 9**

**From:** [Garnett, Stanley](#)  
**To:** [Papez, Elizabeth P.](#)  
**Cc:** [gbrower@bhfs.com](mailto:gbrower@bhfs.com); [Stokes, Patrick F.](#); [Barrett, Claudia M.](#)  
**Subject:** Re: Amazon v. WDC Holdings et al.  
**Date:** Friday, October 16, 2020 8:07:12 PM

---

[External Email]

Thanks, Elizabeth.

We will review your email.

best,

Stanley L. Garnett  
Brownstein Hyatt Farber Schreck, LLP  
410 Seventeenth Street, Suite 2200  
Denver, CO. 80202  
303.223.1286 tel  
303.668.3113 cell  
[Sgarnett@bhfs.com](mailto:Sgarnett@bhfs.com)

On Oct 16, 2020, at 5:57 PM, Papez, Elizabeth P. <[EPapez@gibsondunn.com](mailto:EPapez@gibsondunn.com)> wrote:

Stan, Greg –

We've completed our review of the productions that Brian Watson and WDC Holdings made in response to the discovery requests the Court ordered on July 22 (Dkt. 95), and just write to reconfirm our impasse on RFPs 5, 7, 8, 11, 14 and 15 and Interrogatories 3, 4, 5, as well as your September 9 confirmation that Watson and WDC will not be producing any further documents or logs.

On August 28, we conferred for the second time on the numbered requests above, and Defendants reiterated they would not respond to those requests, but would produce information responsive to other requests. On August 29, you emailed that your "document management team is continuing to process the remaining non-objectionable documents in the production and we intend to produce them, with appropriate redactions and privilege logs, as soon as possible."

On September 1, I sent you a letter confirming our impasse on RFPs 5, 7, 8, 11, 14 and 15 and Interrogatories 3, 4, 5, and 7, and identified various production delays and deficiencies on other requests. Defendants produced 11 additional documents on September 3. When we asked about further productions, your colleagues told us on September 4 that they "received a few more documents this week, which we are

processing and will produce shortly.” On September 9, Defendants produced one additional document along with a four-entry redaction log, and stated in the cover email “that is all you will be receiving.” On September 10, my colleague, Claudia Barrett, responded to the redaction log by asking whether any responsive documents had been withheld based on privilege and, if so, when you would provide a privilege log for any such documents, but we don’t have a record of a response.

We understand from your September 9 email that we’ve received everything Watson and WDC are producing on the July 22 requests, including on the privilege log, but please let us know by noon eastern on Monday, October 19, if that’s incorrect.

Thanks and have a good weekend,

**Elizabeth P. Papez**

**GIBSON DUNN**

Gibson, Dunn & Crutcher LLP  
1050 Connecticut Avenue, NW  
Washington, DC 20036  
Tel +1 202.955.8608 (o)  
Tel +1 703.887.2062 (m)  
[EPapez@gibsondunn.com](mailto:EPapez@gibsondunn.com)  
[www.gibsondunn.com](http://www.gibsondunn.com)

---

This message may contain confidential and privileged information for the sole use of the intended recipient. Any review, disclosure, distribution by others or forwarding without express permission is strictly prohibited. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

Please see our website at <https://www.gibsondunn.com/> for information regarding the firm and/or our privacy policy.

---

**STATEMENT OF CONFIDENTIALITY & DISCLAIMER:** The information contained in this email message is attorney privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this email is strictly prohibited. If you have received this email in error, please notify us immediately by calling (303) 223-1300 and delete the message. Thank you.